HC-KAR

NC: 2026:KHC:59522
CRL.P No. 14076 of 2026

CNR: KAHC010628222026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14076 OF 2026

BETWEEN:

DR. INDRAKUMAR K,
S/O LATE M. KRISHNAPPA,
AGED ABOUT 60 YEARS,
RESIDING AT NO.10, PVN LANE,
1ST CROSS, THIGALARAPET,
BENGALURU - 560 002.

...PETITIONER

(BY SRI. SHANKAR H S., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
   BY HALASURUGATE POLICE STATION,
   BENGALURU.
   REPRESENTED BY
   STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDING,
   BENGALURU - 560 001.

2. SATHISH KUMAR K.,
   S/O LATE M. KRISHNAPPA,
   AGED ABOUT 56 YEARS,

3. M. MAMATHA,
   W/O SATHISH KUMAR K.,

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Location: HIGH COURT OF KARNATAKA

AGED ABOUT 51 YEARS,
THE RESPONDENT 2 AND 3 ARE
RESIDING AT NO.20, 1ST BLOCK,
2ND A CROSS, ANANDANAGAR,
R.T. NAGAR,
BENGALURU - 560 032.

…RESPONDENTS

(BY SRI.RAHUL RAI K., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 439(2) CR.PC (FILED U/S 483(3) OF BNSS) PRAYING TO CANCEL THE BAIL ORDER OF GRANTING BAIL TO THE RESPONDENT NO.2 AND 3 BY THE LXXI ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY (CCH-72) VIDE ORDER DATED 25.07.2024 IN CRL.MISC NO.6078/2024 WHICH IS ARISING OUT OF CRIME NO.106/2024 OF HALASURGATE POLICE STATION REGISTERED FOR THE OFFENCES P/U/S 506, 34, 380, 402, 447, 302, 308, 347, 320, 441 OF IPC WHICH IS PENDING ON THE FILE OF THE 6TH ADDL.CMM BENGALURU CITY.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

This petition under Section 483(3) of BNSS, 2023 is filed by the complainant with a prayer to set aside the order dated 25.07.2024 passed in Crl.Misc.No.6078 of

2024 by the Court of LXXI Additional City Civil and Sessions Judge, Bengaluru City (CCH-72) granting anticipatory bail to respondent Nos.2 and 3 herein in Crime No.106 of 2024 registered by Halasurgate Police Station, Bengaluru for the offences punishable under Section 506, 34, 380, 402, 447, 302, 308, 347, 320, 441 of IPC, 1860.

2. Heard the learned counsel for the petitioner and learned High Court Government Pleader on behalf of the respondent No.1/ State.

3. The petitioner herein had filed a private complaint in PCR No.5203 of 2024 before the Court of jurisdictional Magistrate, which was referred to police and in turn, Halasurgate Police Station, Bengaluru had registered FIR in Crime No.106 of 2024 against Satishkumar K., and others for the aforesaid offences. In the said case, the respondent Nos.2 and 3 herein who were arrayed as accused Nos.1 and 2 were granted

anticipatory bail by the jurisdictional Sessions Court in Crl.Misc.No.6078 of 2024 vide order dated 25.07.2024. Assailing the same, the complainant is before this Court.

4. Learned counsel for the petitioner having reiterated the grounds urged in the petition submits that the accused persons have been constantly threatening the petitioner and thereby they have violated the bail conditions. Therefore, the learned Sessions Judge was not justified in dismissing the application filed by the petitioner seeking cancellation of the bail granted to him.

5. *Per contra*, learned High Court Government Pleader has argued in support of the order passed by the learned Sessions Judge, rejecting the application of the petitioner filed under Section 483 (3) of BNSS, 2023.

6. Perusal of the material on record would go to show that the accused persons in the present case are the brothers and sisters-in-law of the petitioner, who is the de-facto complainant. It appears that there is a serious

civil dispute between two parties. In the private complaint, which was filed by the petitioner, it is alleged that his mother was kidnapped by the accused persons and she was admitted in the hospital wherein she had died on 18.05.2022. It is under these circumstances, the brothers, sisters-in-law and hospital authorities have been arrayed as accused in the present case. Considering the nature of allegations found in the PCR filed by the petitioner herein against his relatives, with whom he has got multiple civil disputes the learned Sessions Judge by a well-reasoned order has granted anticipatory bail to respondent Nos.2 and 3 herein on 25.07.2024. Though, it is submitted by learned counsel for the petitioner that the accused persons have threatened him after they were granted bail, there is no material produced along with the petition in support of said contention. Based on the complaints that were submitted by the petitioner before the jurisdictional police alleging threat by the accused persons, the NCR case was registered and subsequently closed.

7. The petitioner had filed a similar petition before the Sessions Court with a prayer to cancel the anticipatory bail granted to accused Nos.1 and 2. While dismissing the said petition in Crl.Misc.No.2556 of 2026 vide order dated 30.06.2026 the learned Sessions Judge has noted that the Investigating Officer in the present case has reported that in spite of repeated notices, the petitioner had not appeared before the Investigating Officer or produced any documents. Though, the FIR has been registered in the present case in the year 2024 itself, till date no charge sheet has been filed against the accused named in FIR.

8. Considering the aforesaid aspects of the matter, I am of the opinion that the petitioner has not made out any ground for cancellation of bail granted to respondent Nos.2 and 3. Cancellation of bail has serious consequences and it can be done only if it is found that bail has been granted to the accused flouting the basic parameters for consideration of a bail application or in case where supervening circumstances are made out. In the present

case, I do not find any such circumstances for canceling the bail granted to respondent Nos.2 and 3. Accordingly, the following;

ORDER

(i) The Criminal Petition stands ***dismissed***.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 Sl No.: 10